## **DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought in the application entitled

SEP 10 1000 SEP

ARTHROPLASTY \_\_\_\_\_, the specification of which \_\_\_\_\_\_ X \_\_\_\_ is attached hereto. \_\_\_\_\_\_ was filed on \_\_\_\_\_\_ at United States Application Serial No. \_\_\_\_\_\_ o PCT International Application No. \_\_\_\_\_\_ and was amended on \_\_\_\_\_\_ (if applicable)

re that I have reviewed and understand the contents of the above identified

I hereby declare that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate on which priority is claimed (as listed below) and I have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

filing date be	efore that of the app	plication on which priority is	claimed:		_
Prior Foreig	n Application(s)			Prior	ity Claimed
(Number)	(Country)	(Day/Month/Year Filed	(Day/Month/Year Filed)		
(Number)	(Country)	(Day/Month/Year Filed	1)	Yes .	No
	ereby claim benefit application(s) listed	under Title 35, United States I below.	Code, § 119(e) of	f any United Sta	ates
50/221,657			July 28	3, 2000	
Application	Number		Filing	Date	
Application	Number		Filing	Date	
application(s not disclosed Fitle 35, Uni n Title 37, (	s) listed below and, I in the prior Unite ited States Code, § Code of Federal Re	efit under Title 35, United Sta insofar as the subject matter of d States application in the ma 112, I acknowledge the duty to gulations, §1.56(a) which occu PCT international filing date	of each of the clainner provided by disclose material thread between the	ims of this appl the first paragral al information a e filing date of	ication is raph of us defined

(Application Serial No.)	(Filing Date)	(Status)(Patented, Pending, Abandoned)	
(Application Serial No.)	(Filing Date)	(Status)(Patented, Pending, Abandoned)	_



And I hereby appoint Paul J. Maginot, Registration No. 34,984, Bradford G. Addison, Registration No. 41,486, Harold C. Moore, Registration No. 37,892, Bruce J. Bowman, Registration No. 35,458, David M. Lockman, Registration No. 34,214 and Jeffrey D. Carter, Registration No. 37,795 as attorneys of record with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Please direct all communications regarding the application to:

Paul J. Maginot, Esq. Maginot, Addison & Moore 111 Monument Circle, Suite 3000 Bank One Center/Tower Indianapolis, Indiana 46204-5130 Telephone (317) 638-2922 Facsimile (317) 638-2139

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor Brian Maroney	
Inventor's signature Buian Masonew	Date: 7/9/01
Residence 505 Glenmore Drive, Ft. Wayne, Indiana 46804	
Citizenship United States of America	
Post Office Address Same as above	
Full name of second inventor Michael Coon	
Inventor's signature Make Com	Date:7/9/0/
Residence 3095 S. Trail Ridge, Warsaw, Indiana 46580	
Citizenship United States of America	
Post Office Address Same as above	
Full name of third inventor Jeffrey Ondria Inventor's signature Residence 6132 E. 450 N. Jesburg, Indiana 46538	Date: 7/20/0/
Citizenship United States of America	
Post Office Address Same as above	
Full name of fourth inventor, Todd Durniak	
Inventor's signature	Date: 7/19/0/
Residence 10418 Indian Ridge, Ft. Wayne, Indiana 46814	
Citizenship United States of America	
Post Office Address Same as above	
Full name of fifth inventor <u>Joseph Iannotti, M.D., Ph.D.</u>	
Inventor's signature	Date:
Residence	
Citizenship United States of America	
Post Office Address Same as above	

Full name of sixth inventor Gerald Williams, M.D.		
Inventor's signature	Date:	
Residence		
Citizenship United States of America		
Post Office Address Same as above		

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DEVICE AN	ND METHOD FOR	POSITIONING HT	JMERAL HEAD OF A	<b>HUMERUS PROS</b>	THESIS	
FOR A SHO	ULDER ARTHROI	PLASTY	, the	e specification of w	hich	
(che	eck one)	X	is attached hereto.			
		<del></del>	was filed on		as	
			n Serial No			
			cation No			
	and v	vas amended on			·	
			(if applicable)			
			understand the contents any amendment referred		ified	
	knowledge the duty Code of Federal Reg		ation which is material t	to patentability as o	defined	
foreign appl and I have a	ication(s) for patent	or inventor's certif any foreign applica	der Title 35, United Staticate on which priority in ation for patent or inventority is claimed:	is claimed (as listed	d below)	
Prior Foreig	n Application(s)			Priori	ity Claimed	
(Number)	(Country)	(Day/Month/	Year Filed)	Yes	No	
(Number)	(Country)	(Day/Month/	Year Filed)	Yes	No	
	ereby claim benefit tapplication(s) listed		ted States Code, § 119(e	e) of any United Sta	ates	
60/221,657			July	28, 2000		
Application	Number			Filing Date		
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Application	Number		Fili	ng Date	<del></del>	
application( not disclosed Title 35, Un in Title 37,	s) listed below and, d in the prior United ited States Code, §1 Code of Federal Reg	insofar as the subject States application 12, I acknowledge gulations, §1.56(a)	United States Code, §12 ect matter of each of the in the manner provided the duty to disclose mat which occurred between filing date of this application.	claims of this appl I by the first paragraterial information and the filing date of	lication is raph of as defined	
(Application	Serial No.)	(Filing Date	) (Status)(Patent	ed, Pending, Aban	doned)	
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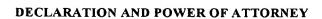
And I hereby appoint Paul J. Maginot, Registration No. 34,984, Bradford G. Addison, Registration No. 41,486, Harold C. Moore, Registration No. 37,892, Bruce J. Bowman, Registration No. 35,458, David M. Lockman, Registration No. 34,214 and Jeffrey D. Carter, Registration No. 37,795 as attorneys of record with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Please direct all communications regarding the application to:

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Full name of first inventor Brian Maroney	
Inventor's signature	Date:
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Full name of second inventor Michael Coon	
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Full name of third inventor <u>Jeffrey Ondrla</u>	
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Full name of fourth inventor Todd Durniak	
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•	
Full name of fifth inventor <u>Joseph Iannotti, M.D., Ph.D.</u>	1 1
Inventor's signature	Date: 7/19/0/
Residence 5570 Liberty Road Bentleville ohio	44022
Inventor's signature  Residence 5570 Liberty Read Refine Ohio  Citizenship United States of America	
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Full name of sixth inventor Gerald Williams, M.D.		
Inventor's signature	Date:	
Residence		
Citizenship United States of America		
Post Office Address Same as above		



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DEVICE AND METHOD FOR POSITIONING HUMERAL HEAD OF A HUMERUS PROSTHESIS

FOR A SHO	<b>ULDER AR</b>	THROPLASTY		, the	specification of w	vhich
	eck one)	X	-	ached hereto.	-	
			was f	iled on		as
		United States App				
		PCT Internationa		No		
		and was amended			<del></del> .	······································
			(if ap	plicable)		
		that I have reviewence claims, as amen				ified
		ne duty to disclose ral Regulations, §1		nich is material to	patentability as	defined
foreign appli and I have al	ication(s) for lso identified	preign priority bene patent or inventor below any foreign the application on v	s certificate on application for	which priority is patent or invent	claimed (as listed	d below)
Prior Foreign	n Application	n(s)			Prior	ity Claimed
(Number)	(Country)	(Day/i	Month/Year Fi	led)	Yes	No
(Number)	(Country)		Month/Year Fi	led)		No
	•	enefit under Title 3 listed below.	5, United State	es Code, § 119(e)	of any United Sta	ates
60/221,657				July	28, 2000	
Application 1	Number			Filin	ng Date	
Application 1	Number		<del></del>	Filin	ng Date	
application(s not disclosed Title 35, Uni in Title 37, (	s) listed below I in the prior ited States Co Code of Fede	ne benefit under Tieve and, insofar as the United States applode, §112, I acknownal Regulations, §1 and or PCT internations.	te subject matterication in the revolution in the revolution which of the subject to the subject in the subject	er of each of the on manner provided of to disclose mate ccurred between	claims of this appl by the first paragi rial information a the filing date of t	ication is caph of as defined
(Application	Serial No.)	(Filin	g Date)	(Status)(Patente	d, Pending, Aban	doned)
(Application	Serial No.)	——————————————————————————————————————	g Date)	(Status)(Patente	d Pending Ahan	doned)

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Full name of sixth inventor Gerald Williams, M.D.	
Inventor's signature	Date: 7/24/01
Residence 859 665/01/04. 1/1/14WWW PA-19	1085
Citizenship United States of America	
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